

SEP 30 2005

FACSIMILE COVER PAGE

Date: September 30, 2005

To: Examiner Jeffrey Gellner

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MESSAGE Supplementary Election/Response to the Notice of Non-ComplianceCONFIRMATION COPY WILL FOLLOW: YES (X) via First Class Mail No ()

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TRANSMITTAL
VIA FACSIMILE NO: 1-517-273-8300
With Confirmation via 1st Class Mail Delivery
To The Honorable Commissioner
of Patents and Trademarks
Alexandria, V.A. 22313-1450

Re: New U.S. Patent Application 10/774,838 for "LIGHTWEIGHT PLANTING SYSTEM FOR AQUATIC PLANTS"; From(U.S. Provisional Patent Application 60/446,290; Filed: February 7, 2003); Filed: February 9, 2004; Inventors: Brian Schuck et al.

LAW
BUSINESS
TECHNOLOGY

Dear Sir:

Enclosed please find the following:

1. *Supplementary Election/Response to the Notice of Non-Compliance dated 22 September 2005 and to the Restriction Requirement dated 26 April 2005*
2. *Our post card. Please date stamp and return*

Please charge any unanticipated fees to our Deposit Account No. 03-3565 (a duplicate copy of this charge authorization is attached.)

Thank you for your cooperation and assistance.

Respectfully submitted,


Royal W. Craig
Reg. No. 34,145

I HEREBY CERTIFY that on September 30, 2005 one copy of the above-referenced documents were transmitted via facsimile to Examiner Jeffrey Gellner 571-273-8300 and a copy via 1st Class mail for delivery to the United States Patent and Trademark Office.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

SCHUCK, Brian et al.

Appln. No. 10/774,838

Examiner: Jeffrey L. Gellner

Art Unit: 3643

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SEP 30 2005

Filed: 9 February 2004

For: LIGHTWEIGHT PLANTING SYSTEM FOR AQUATIC PLANTS

* * *

SUPPLEMENTAL ELECTION / RESPONSE

The Honorable Commissioner
of Patents and Trademarks
Washington, DC 20231

Sir:

Responsive to the Notice of Non-Compliant Election dated 22 September 2005, and also to the Restriction Requirement dated 26 April 2005, applicant herewith elects Species I, a device for growing and transporting plants for transplantation, the claims being readable thereon being claims 1-19. This election is without traverse.

Applicant further provisionally elects for Invention I Species A - type of fibrous material - one of polyester, natural fibers, or human hair, the claims readable theron being claims 1-14. This sub-election is provisional because claims 1, 3 and 9 are generic.

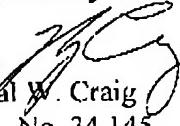
Applicant further provisionally elects from Invention I, Species A, the single-entry subspecies comprising the specific type of fibrous material being polyester, and the specific type of aquatic plant to be transported by the device being water lilies, the claims readable theron being claims 1-6 and 9-14. Again, this sub-election is provisional because claims 1, 3 and 9 are generic.

Application of: Schuck et al.

Serial No.: 10/774.838

Allowance is respectfully requested.

Respectfully submitted,


Royal W. Craig
Reg. No. 34,145
Attorney for Applicant
Date September 30, 2005

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